

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA)	
)	
and)	
)	
THE STATE OF OHIO,)	Civil Action No. 3:20-cv-190
)	
Plaintiffs,)	Judge James G. Carr
)	
v.)	
)	
BP PRODUCTS NORTH AMERICA)	
INC. and BP-HUSKY REFINING LLC,)	
)	
Defendants.)	

**UNITED STATES OF AMERICA’S
CONSENT MOTION TO ENTER CONSENT DECREE**

Plaintiff, the United States of America (the “United States”), on behalf of the United States Environmental Protection Agency (“EPA”), respectfully moves this Court to enter as a final judgment the Consent Decree lodged with the Court on January 29, 2020. *See* Consent Decree, ECF Doc. 2, Att. 1. Pursuant to Department of Justice policy and the terms of the Consent Decree, public comment on the Consent Decree was invited for a 30-day period. *See* 28 C.F.R. § 50.7 (stating Department of Justice policy to offer consent decrees for 30-day public comment period); Consent Decree § XXV, ¶ 146 (page 74); 85 Fed. Reg. 6,577 (Feb. 5, 2020) (publishing notice soliciting public comments regarding Consent Decree). No public comments were received.

Counsel for the United States has conferred with counsel for both Defendants, and counsel for the co-plaintiff, the State of Ohio. All agree that this motion is unopposed and filed

with the consent of all parties. The Defendants consent to entry of the Consent Decree without further notice. *See* Consent Decree ¶ 146, at page 74.

WHEREFORE, for the reasons set forth in the United States' supporting memorandum, the United States respectfully requests that the Court grant this motion, approve the Consent Decree by **signing page 76**, and enter the Consent Decree as a final judgment in this matter.

Dated: March 13, 2020

Respectfully submitted,

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Environment and Natural Resources Division

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CERTIFICATE OF SERVICE

I hereby certify that on March 13, 2020, a true and correct copy of the foregoing **United States' Consent Motion to Enter Consent Decree, Memorandum In Support Thereof, and Proposed Order** were filed with the Clerk of the U.S. District Court for the Northern District of Ohio using the Court's CM/ECF system. Notice of this Electronic Filing will be sent to all parties by operation of the Court's Electronic Filing System.

/s/ Steven D. Shermer
Steven D. Shermer